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ART UNIT	PAPER NUMBER
2178	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/751,574	BATES ET AL.	
	Examiner	Art Unit	
	Cong-Lac Huynh	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 September 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-37,39 and 42-44* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-37,39 and 42-44* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *9/14/06*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: amendment filed 9/13/06 and IDS filed 9/14/06 to the application filed on 12/18/00.

2. Claims 38, 40-41 are canceled.

3. Claim 44 is added.

4. Claims 1-37, 39, 42-44 are pending in the case. Claims 1, 23, 24, 37, 39, and 42 are independent claims.

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 1-37 and 39 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Independent claim 37, as amended, recites "a physical computer-readable signal medium bearing the program" (lines 8-9). It is noted that a signal is a form of energy, not a physical structure or a tangible medium for storing data in computer environment. See USPTO Interim Guidelines for Examination of Patent Application for Patent Subject Matter Eligibility. It is suggested that this limitation be changed to "a computer-readable storage medium storing the program" to overcome the 101 issue.

Claim 39 is rejected under the same issue.

In addition, claims 1-37 are rejected since the claimed invention does not satisfy the requirement of 35 U.S.C. 101: "*to satisfy the requirements of 35 U.S.C. 101, an*

applicant must claim an invention that is statutory subject matter and must show that the claimed invention is "useful" for some purpose either explicitly or implicitly" (MPEP 2107). Claims 1-37, though are statutory subject matter, do not show that the claimed invention is "useful" regarding Substantial Utility. Specifically, in the independent claims, the relative occurrences are tracked to determine the acceptable usage of a linguistic term. The tracked relative occurrences are used to determine the acceptable usage of a linguistic term only and "only tools to be used along the way in the search for a practical utility." See MPEP 2107.01 I B:

"B. Substantial Utility

**> "[A]n application must show that an invention is useful to the public as disclosed in its current form, not that it may prove useful at some future date after further research. Simply put, to satisfy the substantial' utility requirement, an asserted use must show that the claimed invention has a significant and presently available benefit to the public." Fisher, 421 F.3d at 1371, 76 USPQ2d at 1230. The claims at issue in Fisher were directed to expressed sequence tags (ESTs), which are short nucleotide sequences that can be used to discover what genes and downstream proteins are expressed in a cell. The court held that "the claimed ESTs can be used only to gain further information about the underlying genes and the proteins encoded for by those genes. The claimed ESTs themselves are not an end of [applicant's] research effort, but only tools to be used along the way in the search for a practical utility.... [Applicant] does not identify the function for the underlying protein-encoding genes. Absent such identification, we hold that the claimed ESTs have not been researched and understood to the point of*

providing an immediate, well-defined, real world benefit to the public meriting the grant of a patent." Id. at 1376, 76 USPQ2d at 1233-34). Thus a< "substantial utility" defines a "real world" use. Utilities that require or constitute carrying out further research to identify or reasonably confirm a "real world" context of use are not substantial utilities."

Claim Rejections - 35 USC § 112

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 1-37 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding independent claim 1, it is not clear how to use the relative occurrences of a plurality of variants of a linguistic term found in the plurality of documents to determine an acceptable usage of the linguistic term. It is not clear what number of occurrences, or how high or how low of the number of occurrences is considered acceptable for use for a linguistic term.

It is suggested the claim be clarified as disclosed in the specification (page 6, lines 11-18) regarding the "acceptable usage" of a linguistic term.

Claims 23, 24, and 37, which include the same subject matter, are rejected under the same rationale.

Dependent claims 2-22, 25-36 are rejected for incorporating the deficiencies of their base claims.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

11. Claims 1-4, 9, 11-12, 21-26, 30, 36-37 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Ravin et al. (US Pat No. 5,819,265, filed 7/12/96).

Regarding independent claim 1, Ravin discloses:

- scanning a plurality of documents for variants of a linguistic term (col 3, lines 1-16, col 8, lines 10-23, col 20, line 51 to col 21, line 29: processing multiple

documents for variants of a proper name, which is a linguistic term implies said scanning)

- tracking relative occurrences of a plurality of variants of the linguistic term found in the plurality of documents during scanning to determine an acceptable usage of the linguistic term (col 2, lines 65-67, col 5, lines 26-38, col 23, line 52 to col 24, line 18, col 8, lines 24-67: identifying occurrences of proper names with a list of proper names in natural language text where the text are documents on the Internet and where proper names, which are variants of a name, which is a linguistic term, are determined to be accepted)

Ravin does not explicitly disclose that each variant of the linguistic term found in each document is of the type that is intentionally chosen by an author of such document. However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have included the feature that each variant of the linguistic term found in each document is of the type intentionally chosen by the author of such document since these variants are found from the documents written by the document authors, who use these words to generate documents.

Regarding claim 2, which is dependent on claim 1, Ravin discloses retrieving the plurality of documents from a network, wherein scanning the plurality of documents includes scanning each document subsequent to retrieval of the document from the network (figure 1, col 3, lines 1-12).

Regarding claim 3, which is dependent on claim 2, Ravin discloses retrieving the plurality of documents from a network (figure 1, col 3, lines 1-12). Ravin further discloses that the documents to be scanned in his invention are Internet documents (col 23, lines 52-58: "...employ human readers to *scan news articles* ... human readers also classify *online* documents ..."; col 24, lines 13-19: ".. because of the diversity of content on the Internet, variants may be ambiguous ..."). This shows that retrieving the plurality of documents from at least one Internet web site in response to a user browsing the at least one Internet web site, and wherein scanning the plurality of documents includes scanning each document upon retrieval of that document from the at least one Internet web site.

Regarding claim 4, which is dependent on claim 2, Ravin does not disclose explicitly determining whether a retrieved document has already been scanned before scanning the retrieved document. However, it would have been obvious to an ordinary skill in the art at the time of the invention was made to incorporate such determining into Ravin since in programming, checking whether an action is performed before performing the action is well known. Thus, the combination of said determining into Ravin would save time when carrying out a step in a process.

Regarding claim 9, which is dependent on claim 1, Ravin discloses that the linguistic term comprises a single word (figure 2, col 6, lines 6-17). /

Regarding claim 11, which is dependent on claim 1, Ravin discloses that the linguistic term comprises an acronym (col 15, lines 14-22).

Regarding claim 12, which is dependent on claim 1, Ravin discloses that the plurality of variants differ from one another based upon at least one of punctuation, spelling, capitalization, hyphenation, and definition (col 1, line 65 to col 2, line 8, col 19, lines 16-20, col 6, lines 6-17).

Regarding claim 21, which is dependent on claim 1, Ravin discloses that the documents to be scanned for the variants are Internet documents (col 23, line 50 to col 24, line 2). Ravin further discloses that in spell checking, "identifying proper names and treating all variants as instances of the same canonical form will reduce the false alarms for misspelling that the checker normally outputs to the user. Once a canonical form was entered into the dictionary, all of the variants will be accepted as correctly spelled as well" (col 24, lines 7-13) where this spell checking performed via identifying canonical form is performed in the Internet. This implies using a spell checking tag to identify a variant of the linguistic term when scanning a document for a variant.

Regarding claim 22, which is dependent on claim 1, Ravin discloses scanning the plurality of documents and tracking relative occurrences are performed responsive to detecting a variant of the linguistic term during spell checking of a document (col 6, lines 37-45, col 7, lines 8-31, line 60 to col 8, line 9, col 23, lines 52-58).

Regarding independent claim 23, Ravin discloses:

- browsing a plurality of web sites on the Internet in response to user input (col 23, lines 52-58, col 24, lines 3-18: searching for information on the Internet implies browsing a plurality of web sites on the Internet in response to a user input for the requested information is performed)
- concurrently tracking relative occurrences of a plurality of variants of a linguistic term found in the plurality of web sites to determine an acceptable usage of the linguistic term (col 2, lines 65-67, col 5, lines 26-38, col 23, line 52 to col 24, line 18, col 8, lines 24-67: identifying occurrences of proper names with a list of proper names in natural language text where the text are documents on the Internet and where proper names, which are variants of a name, which is a linguistic term, are determined whether or not to be acceptable; it is noted that identifying the occurrences of the variants of a term concurrently with browsing a plurality of web sites on the Internet is implied since during searching or browsing the Internet, which means the web sites on the Internet, occurrences of variants of a term is identified, which means being tracked)

Ravin does not explicitly disclose that each variant of the linguistic term found in each document is of the type that is intentionally chosen by an author of such document. However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have included the feature that each variant of the linguistic term found in each document is of the type intentionally chosen by the author of such

document since these variants are found from the documents written by the document authors, who use these words to generate documents.

Claims 24-26 are for an apparatus of method claims 1, 2, 4, and are rejected under the same rationale.

Claims 30 and 36 are for an apparatus of method claims 12 and 21, and are rejected under the same rationale.

Claims 37 are for a program product of method claim 1, and is rejected under the same rationale.

12. Claim 44 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ravin et al. (US Pat No. 5,819,265, filed 7/12/96).

Regarding claim 44, which is dependent on claim 1, Ravin does not explicitly disclose that tracking relative occurrences of the plurality of variants of the linguistic term includes accumulating a count of the relative occurrences of a variant found in multiple documents among the plurality of documents.
Instead, Ravin discloses identifying occurrences of proper names of proper names in natural language text (col 2, lines 65-67) where text to be applied can be a document and a plurality of documents and where the occurrence result is combined when

processing over multiple documents (col 20, lines 51-65: "... *the invention provides for an aggregation processor, 1900 below, which combines the results of processing multiple documents into a single vocabulary list...These goals can be achieved because the aggregator processor 1900 processes text over more than one document, preferably multiple documents*", col 21, lines 19-29: "*..the next requirement is to aggregate different entries in the CF-Variant array that refer to the same entity ... this situation typically arises when the processes described above operation on multiple document).*

Therefore, it would have been obvious to an ordinary skill in the art at the time of the invention was made to modify Ravin to include accumulating a count of the relative occurrences of a variant found in multiple documents among the plurality of documents since aggregation the result from processing over multiple documents suggests that the resulted number be accumulated during processing multiple documents.

13. Claims 5-8,10, 13-14, 16,18-20, 27-29, 31-35 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Ravin as applied to claim 1 above, and further in view of Zimmermann et al. (US Pat No. 6,678,694, filed 11/8/00).

Regarding claim 5, which is dependent on claim 2, Ravin does not disclose determining whether to scan a retrieved document based upon a source parameter associated with the linguistic term.

Zimmermann discloses determining whether to scan a retrieved document based upon a source parameter associated with the linguistic term (col 8, line 62 to col 9, line 17, col 10, lines 51-64).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Zimmermann into Ravin since determining whether to scan a retrieved document based upon a source parameter associated with the linguistic term in Zimmermann would help to eliminate retrieving all the documents that do not relate to the linguistic term in Ravin.

Regarding claim 6, which is dependent on claim 1, Ravin not disclose browsing a second plurality of documents retrieved from at least one Internet web site in response to user input, wherein scanning the first plurality of documents is performed concurrently with browsing the second plurality of documents.

Zimmermann discloses retrieving the plurality of documents from at least one Internet web site in response to a user browsing the at least one Internet web site, and wherein scanning the plurality of documents includes scanning each document upon retrieval of that document from the at least one Internet web site (col 1, lines 15-17, col 3, lines 1-49).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Zimmernann to include browsing a second plurality of documents in response to user input concurrently with browsing the first plurality of documents and combined with Ravin since the fact a plurality of documents of different

topics are scanned to be retrieved in Zimmermann suggests that a first plurality of documents of one type are concurrently browsed with another plurality of documents of another type.

Regarding claim 7, which is dependent on claim 1, Ravin does not disclose that scanning the first plurality of documents is performed in a background thread while documents from the second plurality of documents are being browsed.
Zimmermann discloses retrieving the plurality of documents from at least one Internet web site in response to a user browsing the at least one Internet web site, and wherein scanning the plurality of documents includes scanning each document upon retrieval of that document from the at least one Internet web site (col 1, lines 15-17, col 3, lines 1-49).
It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Zimmermann to include scanning the first plurality of documents is performed in a background thread while documents from the second plurality of documents are being browsed for the following reason. Zimmermann discloses scanning a plurality of documents of various topics. This suggests that documents of different topics are scanned parallelly in different threads to retrieve a result for a query. The combination of Zimmermann into Ravin would make the retrieval process faster.

Regarding claim 8, which is dependent on claim 7, Ravin and Zimmermann do not disclose that scanning the first plurality of documents includes scanning documents stored in a local history cache. However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Ravin and Zimmermann to incorporate scanning documents stored in a local history cache since it was well known that cache is a local storage of a computer with a plurality of stored documents. Therefore, scanning documents includes documents stored in cache.

Regarding claim 10, which is dependent on claim 1, Ravin discloses that the linguistic term comprises a phrase (col 8, lines 10-67: a sentence token is a search term comprising a phrase, figure 13).

Regarding claim 13, which is dependent on claim 1, Ravin discloses that scanning the plurality of documents includes scanning a document for an enumerated variant of the linguistic term (col 7, line 60 to col 8, line 9: all variants are grouped together).

Regarding claim 14, which is dependent on claim 1, Ravin discloses that scanning the plurality of documents includes scanning a document for an unenumerated variant of the linguistic term (col 6, line 46 to col 7, line 4).

Regarding claim 16, which is dependent on claim 1, Ravin discloses that tracking relative occurrences of the plurality of variants includes weighting occurrences based upon locations of such occurrences within the plurality of documents (col 18, line 32 to

col 19, line 15: confidence scores based on the location of the name shows weighting based on locations of occurrences in documents; col 5, lines 25-38).

Regarding claim 18, which is dependent on claim 1, Ravin discloses storing a variant of the linguistic term in an electronic dictionary (col 5, lines 25-38, col 6, lines 37-45).

Regarding claim 19, which is dependent on claim 18, Ravin discloses spell checking a document using the electronic dictionary subsequent to storing the variant in the electronic dictionary (col 24, lines 7-12).

Regarding claim 20, which is dependent on claim 1, Ravin discloses tracking relative occurrences of the plurality of variants includes storing context information associated with each occurrence of a variant of the linguistic term (col 7, lines 8-51).

Claims 27-28 are for an apparatus of method claims 5, 7, and are rejected under the same rationale.

Claims 29, 31-35 are for an apparatus of method claims 10, 13-14, 16, 19, 20 and are rejected under the same rationale.

14. Claim 15 remains rejected under 35 U.S.C. 103(a) as being unpatentable over Ravin as applied to claims 1 and 14 above, and further in view of Komissarchik et al. (US Pat No. 5,799,276, 8/25/98, filed 11/7/95).

Regarding claim 15, which is dependent on claim 14, Ravin does not disclose that scanning the document for the unenumerated variant of the linguistic term includes scanning the document using phonetic comparison.
Komissarchik discloses that a single phonetic transcription of a word in a dictionary can be replaced with *a plurality of phonetic transactions of phonetically permissible variants of the word* (col 3, line 63 to col 4, line 15 and col 11, line 50 to col 12, line 13).
It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Komissarchik into Ravin since Komissarchik teaches that it is possible to replace a word in a dictionary with phonetically permissible variants of the word thus motivating to phonetically scanning documents for the variants of a word instead of lexically scanning as in Ravin utilizing the phonetic comparison.

15. Claim 17 remains rejected under 35 U.S.C. 103(a) as being unpatentable over Ravin as applied to claim 1 above, and further in view of Anick et al. (US Pat No. 6,519,586 B2, 2/11/03, filed 8/6/99).

Regarding claim 17, which is dependent on claim 1, Ravin does not disclose that tracking relative occurrences of the plurality of variants includes weighting occurrences

based upon document types of the documents within which such occurrences are found.

Anick discloses that tracking relative occurrences of the plurality of variants includes weighting occurrences based upon document types of the documents within which such occurrences are found (figure 3B, col 10, lines 12-24, col 3, lines 51-67: weighting the density of the terms, which is equivalent to the term occurrences, in a document where a document can be a form of articles, papers, statements, correspondence, etc.).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Anick into Peterman for obtaining an effective way to track the relative occurrences of the variants based on the document type rather than tracking all of the documents, which helps speeding up the tracking process.

Response to Arguments

16. Applicants argue that Ravin merely discloses a system for identifying proper names in individual documents, and is not directed to attempting to discern an acceptable usage for a linguistic term based upon occurrences of variants of that term in a plurality of documents (Reply, page 10).

Examiner respectfully disagrees.

Ravin discloses processing multiple documents on the Internet for variants of a proper name, which is a linguistic term (col 23, line 52 to col 24, line 19). Ravin also discloses tracking relative occurrences of a plurality of variants of the linguistic term found in the plurality of documents during scanning to determine an acceptable usage of the

linguistic term (col 2, lines 65-67, col 5, lines 26-38, col 23, line 52 to col 24, line 18: *identifying occurrences* of proper names with *a list of proper names* in natural language text where the text are documents on the Internet and where proper names are variants of a name, which is a linguistic term).

Applicants argue that in the invention tracking of relative occurrences occurs over a plurality of documents, not over each individual document as in Ravin (reply, page 11). Examiner respectfully disagrees.

Ravin discloses identifying occurrences of proper names of proper names in natural language text (col 2, lines 65-67) where text to be applied can be a document and a plurality of documents (col 14, lines 25-36: "*By using this canonical form, a system can quickly and accurately identify all mentions of a name (including variants) in text. This is useful in searching and processing text within a single document as well as across a plurality of documents*", col 20, lines 51-65: "*... the invention provides for an aggregation processor, 1900 below, which combines the results of processing multiple documents into a single vocabulary list...These goals can be achieved because the aggregator processor 1900 processes text over more than one document, preferably multiple documents*", col 21, lines 19-29: "*..the next requirement is to aggregate different entries in the CF-Variant array that refer to the same entity ... this situation typically arises when the processes described above operation on multiple documents*").

Applicants argue that Ravin does not disclose determining whether a variant of a linguistic term is acceptable usage for that term (reply, page 12).

Examiner respectfully disagrees.

Ravin discloses that determining whether a variant of a linguistic term is acceptable usage for that term (col 8, lines 24-67, col 20, lines 45-67: determining whether a token is acceptable where a token is a part of an aggregated name, which is a variant of a name, and so it is suggested determining whether a variant of a linguistic term being acceptable be performed).

It is noted that an acceptable usage, as in claim 1, is not determined based upon the frequency of occurrence of that exceeding a certain threshold, or based on the type of audience as pointed out in the specification (page 6, lines 11-18) by Applicants.

Regarding independents 23, 24 and 37, Applicants argue that Ravin does not disclose tracking relative occurrences of a plurality of variants of a linguistic term found in the plurality of web sites is performed concurrently with browsing a plurality of web sites on the Internet in response to user input (reply, page 13).

Examiner respectfully disagrees.

Ravin discloses concurrently tracking relative occurrences of a plurality of variants of a linguistic term found in the plurality of web sites to determine an acceptable usage of the linguistic term (col 2, lines 65-67, col 5, lines 26-38, col 23, line 52 to col 24, line 18, col 8, lines 24-67: identifying occurrences of proper names with a list of proper names in natural language text where the text are documents on the Internet and where proper

names, which are variants of a name - a linguistic term – are determined whether or not to be acceptable; it is noted that performing identifying the occurrences of the variants of a term concurrently with browsing a plurality of web sites on the Internet is implied since during searching or browsing the Internet, which means the web sites on the Internet, occurrences of variants of a term is identified, which means being tracked).

Regarding independent claim 39, Applicants address that the claim was rejected under the same rationale of claim 23 whereas claims 23 and 39 recite substantially different features (reply, page 14).

Examiner agrees that claim 39 rejection was incorrect. The rejection of claim 39, which was under the same rationale of 23, is withdrawn.

Allowable Subject Matter

17. Claims 39, 42-43 are allowed.

18. Reason for allowance: detecting a spell definition tag within a document retrieved from the Internet that identifying an acceptable variant of a linguistic term and adding the acceptable variant of the linguistic term to an electronic dictionary in response to detecting the spell definition tag were not disclosed in the prior art of record.

Conclusion

19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Jacquemin et al. (US 6,101,492, 08-2000).

Chandrasekar et al. (US 6,578,032, 06-2003).

Veale (US 2002/0188586, 12-2002).

Chandrasekar et al. (US 2003/0200198, 10-2003).

Rosenblum et al. (US 2006/0047692, 03-2006).

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is 571-272-4125. The examiner can normally be reached on Mon-Fri (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-4125.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cong-Lac Huynh
Primary Examiner
Art Unit 2178
11/20/06